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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,449	11/20/2003	Brian Peter Arnese	839-1505	6630
30024	7590	06/30/2005	EXAMINER	
NIXON & VANDERHYE P.C. 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			KERSHTEYN, IGOR	
			ART UNIT	PAPER NUMBER
			3745	

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

SP

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/716,449	ARNESS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Igor Kershteyn	3745	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-17 is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4-6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>03/09/2004</u> .  | 6) <input type="checkbox"/> Other: ____.                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Holmes (4,274,805).

In figures 1-3, Holmes teaches a retention system for nozzles 14 of a turbine, comprising: a nozzle retention ring 46 for disposition about an axis of the turbine; a plurality of circumferentially adjacent nozzle segments 14 carried by said nozzle retention ring 46; and anti-rotation pins 48 extending in generally axial directions and engaging between said retention ring 46 and said nozzle segments 14, respectively, to restrain movement of the nozzle segments 14 in a rotational direction about the turbine axis.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Walker (4,883,405).

In figures 1 and 2, Walker teaches a retention system for nozzles of a turbine, comprising: a nozzle retention ring 14 for disposition about an axis of the turbine; a plurality of circumferentially adjacent nozzle segments 12 carried by said nozzle retention ring 14; and anti-rotation pins 20 extending in generally axial directions and

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engaging between said retention ring 14 and said nozzle segments 12, respectively, to restrain movement of the nozzle segments 12 in a rotational direction about the turbine axis, said retention ring 14 includes an axially facing surface (not numbered), said anti-rotation pins 20 being exposed through said surface and at least one retention plate segment 22 overlying the axially facing surface, precluding removal of the pins 20 in an axially direction, said retention plate segment 20 comprises one of a plurality of arcuate retention plate segments arranged in an annular array thereof about the axis.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Boyd et al. (5,591,003).

In figures 1 and 4A, Boyd et al. teach A retention system for nozzles of a turbine 2, comprising: a nozzle retention ring 34A for disposition about an axis of the turbine 2; a plurality of circumferentially adjacent nozzle segments 10" carried by said nozzle retention ring 34A; and anti-rotation pins 38 extending in generally axial directions and engaging between said retention ring 34A and said nozzle segments 10", respectively, to restrain movement of the nozzle segments 10" in a rotational direction about the turbine axis.

#### ***Allowable Subject Matter***

Claims 4-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 7-17 are allowed.

***Prior Art***

Prior art made of record but not relied upon is considered pertinent to Applicant's disclosure and consist of six patents.

Noren (3,423,071) is cited to show a turbine vane retention system including a retention ring and a pin but fails to show a nozzle segment.

Hansel et al. (4,815,933) is cited to show a turbine vane retention system including a retention ring, a nozzle segment and a pin.

Ackerman et al. (5,211,536) is cited to show a turbine vane retention system including a retention ring, a nozzle segment and a pin.

Lenahan et al. (5,224,822) is cited to show a turbine vane retention system including a retention ring, a nozzle segment and a pin.

Norton et al. (5,459,995) is cited to show a turbine vane retention system including a retention ring, a nozzle segment and a pin.

Papageorgiou et al. (5,618,161) is cited to show a turbine vane retention system including a retention ring and a nozzle segment but fails to show a pin.

***Contact information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Kershteyn whose telephone number is **(571)272-4817**. The examiner can be reached on Monday-Friday from 8:00 a.m. to 4:30 p.m.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Look, can be reached on **(571)272-4820**. The fax number is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308 0861.

IK

June 22, 2005

A handwritten signature in black ink, appearing to read 'Igor Kershteyn', written in a cursive style.

**Igor Kershteyn**  
**Patent examiner.**  
**Art Unit 3745**